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ADOPTED

MEMORANDUM **SEPTEMBER 27, 1990**

TO: BOSTON REDEVELOPMENT AUTHORITY BOARD AND
STEPHEN COYLE, DIRECTOR

FROM: PAUL BARRETT, ASSISTANT DIRECTOR
VICTOR KAREN, DEPUTY DIRECTOR
ROBERT RUSH, DEPUTY DIRECTOR
HARBOR PLANNING AND DEVELOPMENT
HOMER RUSSELL, ASSISTANT DIRECTOR
URBAN DESIGN AND DEVELOPMENT
PAUL REAVIS, ASSISTANT DIRECTOR
ENGINEERING AND DESIGN SERVICES
LINDA BOURQUE, ASSISTANT DIRECTOR
NEIGHBORHOOD PLANNING AND ZONING

SUBJECT: CHARLESTOWN NAVY YARD

EXECUTIVE SUMMARY: THIS MEMORANDUM REQUESTS AUTHORIZATION FOR THE DIRECTOR TO FILE A NOTICE OF PROJECT CHANGE WITH THE EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS, AND SUBMIT A CHAPTER 91 LICENSE APPLICATION TO EXPEDITE IMPLEMENTATION OF THE CHARLESTOWN NAVY YARD MASTER PLAN WHICH HAS RECEIVED BROAD-BASED SUPPORT OVER THE COURSE OF A THREE YEAR COMMUNITY PLANNING PROCESS.

On March 15, 1990 the Boston Redevelopment Authority held a public hearing on the proposed Charlestown Navy Yard Master Plan and Zoning. The hearing culminated an extensive community planning process that commenced in 1987. Over the course of this process nearly 100 public meetings have been held with Charlestown residents, local merchants, harbor users, organized labor and other interested organizations to fashion a plan that responds to community goals and objectives. Broad-based support for the Charlestown Navy Yard Master Plan was expressed at the public hearing and in written communications to the Authority.

Several concerns with respect to historic preservation issues were however raised by the Boston Landmarks Commission (BLC) the Massachusetts Historical Commission (MHC) and the U.S. Department of Interior (DOI). Since March 15, 1990, BRA staff has met on numerous occasions with these groups leading to resolution of their concerns.

On May 31, 1990 the Authority tentatively designated the New England Aquarium Corporation as redeveloper of Parcel 5 in the Charlestown Navy Yard. On that same date the Authority tentatively designated the an affiliate of Immobiliare New England Limited

Partnership (INE) as redeveloper of Parcel 7 in the Charlestown Navy Yard. Prior to these designations the INE had succeeded to Immobiliare's interest under a Land Disposition Agreement that the Authority entered into with Immobiliare for certain portions of the Charlestown Navy Yard which included Parcel 5 and several adjoining parcels.

In furtherance of the requirements of the tentative designation and the goals and objectives of the Master Plan the INE is preparing to file applications with the Department of Environmental Protection for licensing under Chapter 91 of the Massachusetts General Laws.

One of the requirements of the INE's application is that there be a determination by the Authority that the proposed development "provides essential economic support to an associated water-dependent use project of particular statewide or regional significance". The Authority staff believes that the proposed new aquarium on Parcel 5 is a water-dependent use project of particular statewide and regional significance, and that the proposed redevelopment of Parcels 4, 6 and 7 in the immediate vicinity will provide essential economic support thereto, and consequently recommends that the Authority so determine.

In January, 1977, the Boston Redevelopment Authority filed an Environmental Impact Report for the Charlestown Navy Yard Urban Renewal Plan Amendment, which evaluated the environmental impacts of the then-proposed development. On February 19, 1978, the Secretary of Environmental Affairs, following submission of an Addendum with additional information requested by the MEPA office, issued a Statement of Compliance with General Laws, Chapter 30, Section 62.

The Environmental Impact Report for the Navy Yard was based on assumptions which must be modified in light of the new Master Plan. It is therefore recommended that the Director be authorized to file a Notice of Project Change with the Executive Office of Environmental Affairs.

Licenses in accord with Chapter 91 M.G.L. must be procured to implement the proposed Charlestown Navy Yard Master Plan. The BRA Board is requested to adopt the attached resolution in this regard.

Appropriate votes follow:

VOTED: That the Director is hereby authorized to file a Notice of Project Change with the Executive Office of Environmental Affairs regarding the Charlestown Navy Yard Master Plan and execute any and all documents as are necessary and appropriate to effectuate said submission; and further

VOTED: That the Boston Redevelopment Authority adopts the attached resolution providing for authorization to file license applications under Chapter 91 of the Massachusetts General Laws in relation to the redevelopment of the Charlestown Navy Yard.

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE:
CHAPTER 91 LICENSING IN RELATION TO THE CHARLESTOWN NAVY YARD

WHEREAS, the Boston Redevelopment Authority (the "Authority") voted on May 31, 1990 to tentatively designate the New England Aquarium Corporation ("NEA") as redeveloper of Parcel 5 in the Charlestown Navy Yard, Charlestown Urban Renewal Area Project No. Mass. R-55; and

WHEREAS, the Authority entered into a Land Disposition Agreement (the "LDA"), dated December 7, 1978, with Immobiliare for certain portions of the Charlestown Navy Yard which included Parcel 5 and several other adjoining parcels; and

WHEREAS, Immobiliare New England, a Limited Partnership succeeded to Immobiliare's interest under the LDA in 1987; and

WHEREAS, the Authority voted on May 31, 1990 to designate an affiliate of INE as redeveloper of Parcel 7 in the Charlestown Navy Yard; and

WHEREAS, the Authority has promulgated a Master Plan for the Charlestown Navy Yard which will accommodate redevelopment of Parcel 5 for a new aquarium, and a development program for Parcels 4, 6 and 7 in the immediate vicinity of Parcel 5; and

WHEREAS, in furtherance of redevelopment in the Charlestown Navy Yard in accordance with the Master Plan, INE is preparing to file applications with the Department of Environmental Protection for licensing under Chapter 91 of the Massachusetts General Laws; and

WHEREAS, the Authority can provide important assistance to NEA by making or joining applications for licensing under Chapter 91; and

WHEREAS, in relation to the applications under Chapter 91 contemplated with respect to the proposed redevelopment of Parcels 4, 6 and 7 the regulations under Chapter 91 require that there be a determination by the Authority that such project provides essential economic support to an associated water-dependent use project of particular statewide or regional significance; and

WHEREAS, the development by NEA of a new aquarium in the Charleston Navy Yard is a water-dependent use project of particular statewide or regional significance to which the redevelopment and disposition of Parcels 4, 6 and 7 will provide essential economic support;

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That the Authority hereby determines that the redevelopment of Parcels 4, 6 and 7 in the Charlestown Navy Yard will provide essential economic support to the proposed new aquarium facility on Parcel 5 in the Charlestown Navy Yard which is an associated water-dependent use project of particular statewide and regional significance.

2. That the Director be and hereby is authorized to make or join in applications and to execute all documents he deems necessary for licensing under Chapter 91 of the Massachusetts General Laws as the Director determines is appropriate in relation to the plans for redevelopment of Parcels 4, 6 and 7 and in the best interests of the Authority.